

APPLICATION FOR PREMISES LICENCE AT THE RAILWAY INN, Station Road, Hatton
Report of the Head of Environmental Health

1. PURPOSE

To consider the application for a premises licence at the Railway Inn, Station Rd, Hatton. The approximate location of the premises is shown on the plan at Appendix 1

2. BACKGROUND

2.1 An application has been received from Ford & Warren Solicitors on behalf of Punch Taverns on 20th May 2005 requesting a premises licence for the Railway Inn, Station Rd, Hatton. These premises have previously held a liquor licence issued by Derby and South Derbyshire Magistrates Court. This presently allows the premises to trade under the national licensing hours. The applicant does not hold a public entertainment licence.

2.2 The current proposed variation to the current application set out in paragraph B (1) attached at appendix 2 are to have:-

1. An additional hour every Monday, Tuesday, Wednesday & Thursday, an additional three hours on Friday and Saturday. Plus an additional two hours on a Sunday.
2. An additional two hours on a Sunday to open at 10:00, plus an additional one hour on Monday, Tuesday, Wednesday, Thursday, Friday & Saturday to open at 10:00.
3. A further additional two hours every Christmas Eve.
4. A further additional two hours every Boxing Day
5. To reflect existing New Years Eve/Day Hours
6. Drinking up time: an additional 25 minutes, to allow 45 minutes drinking up time, after the last permitted sale of alcohol.

All of the above to be for the sale of alcohol, live music performed by up to two persons, Kareoke and recorded music.

3. CONSULTATION RESPONSES

Derbyshire Constabulary -	Representation received from PC Clive Needham by Letter 14 th June 2005 (letter attached Appendix 3)
Derbyshire Fire Service -	No adverse comments
Derbyshire Social Services -	No adverse comments
Trading Standards -	No adverse comments
Environmental Health -	No adverse comments
SDDC Planning Authority -	No adverse comments
Health & Safety (SDDC)-	No adverse comments
Interested Parties -	No adverse comments

4. **COMMENTS**

- 4.1 The hearing will proceed in accordance with the Council's Licensing procedure considered by the Licensing and Appeals Committee on the 11th July 2005.
- 4.2 The relevant factors in this particular case relate to concerns over the prevention of Crime and Disorder and the prevention of public Nuisance. The full representation of the Derbyshire Constabulary can be seen Appendix 3.
- 4.3 The representation of the police are outlined below

The hours applied for are likely to impact upon Licensing objectives, namely:

The prevention of Crime and Disorder
The prevention of Public Nuisance.

1. While it is accepted that the style, concept and location are not high risk, there are still Police concerns owing to the very large geographical area covered by Swadlincote Police section and the limited Police resources available, the Section Inspector fears that he may not have the resources to deal with incidents at Licensed premises during the proposed later hours, particularly at the weekends when a proportion of the available resources are diverted to Derby City centre to deal with issues there.
2. There are concerns that, if premises enjoy substantially later hours, such as those proposed, there is a likelihood of customers being attracted to the premises from outlying areas, thereby increasing the risk of disorder and nuisance which may in turn have an adverse impact upon the standing of the premises in the local community,
3. There is also a commitment to providing Community Police Officers which is being driven by the Home Office, if there is a proliferation of late night venues then there is a risk that these officers will have to be re-deployed to other roles to cover issues at Licensed premises, this will be to the detriment of the wider community of South Derbyshire.
4. Insufficient information has been provided as to how the four licensing objectives are to be addressed (Guidance has been enclosed to assist this).

No information is included as to how the external drinking area is to be managed.

The request of the Derbyshire Constabulary is that a terminal hour of midnight for Sunday, Monday, Tuesday, Wednesday & Thursday and 1am for Saturday and Sunday is more manageable for the Police resources available and is consistent with other applications received to date.

- 4.4 The licensing objectives are matters that should be given paramount importance (guidance issued under section 182 of the Licensing Act 2003 – page 11)

The licensing objectives are:-

The prevention of crime and disorder
Public Safety
The prevention of public nuisance and
The protection of children from harm

In relation to the guidance I would refer you to page 23 paragraph 3.29 – Licensing Hours.

And South Derbyshire District Council Policy page 9 – Licensing Hours

According to the representations that are made, options open to the Sub-Committee are:-

1. Reject the representation and allow the application to be approved with no additional conditions attached.
 2. Allow the application to be approved subject to conditions that are consistent with the operating schedule submitted, modified to such extent as the authority considers necessary for the promotion of the Licensing Objectives.
 3. To exclude from the scope of the licence any of the licensable activities to which the application relates.
 4. To reject the application.
- 4.4 The applicant has been invited to attend the Sub-Committee hearing, together with their representative, as have the single interested party.

